

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

(1) ANDREW KYLE CHISM,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 14-CV-227-JED-TLW
	)	
(2) THE TRAVELERS HOME AND	)	
MARINE INSURANCE COMPANY,	)	
a foreign corporation,	)	
	)	
Defendant.	)	

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant The Travelers Home and Marine Insurance Company, a foreign corporation (“Defendant”), files this Notice of Removal of this case from the District Court of Tulsa County, Oklahoma. In support of removal, Defendant states the following:

1. On April 23, 2014, Plaintiff Andrew Kyle Chism (“Plaintiff”) filed a Petition in the District Court of Tulsa County, Oklahoma, captioned *Andrew Kyle Chism v. The Travelers Home and Marine Insurance Company, a foreign corporation*, Case No. CJ-2014-01600 (“State Court Action”).

2. Defendant was served by certified mail with the Summons and Petition in the State Court Action on April 28, 2014.

3. Defendant is filing this Notice of Removal within thirty (30) days after receipt of Plaintiff’s Petition. Thus, under 28 U.S.C. § 1446(b), Defendant’s time to remove has not yet expired.

4. Plaintiff is a resident of the State of Oklahoma. Defendant is a Connecticut corporation with its principal place of business in Hartford, Connecticut. Therefore, complete diversity exists between the parties to this case.

5. In addition to complete diversity existing, the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs, establishing this case is properly removed pursuant to 28 U.S.C. §§ 1332, 1441 and 1446. Specifically, Plaintiff alleges that his damages are \$100,000.00, exclusive of interest, attorney fees and costs. See Plaintiff's Petition, Ex. 2.

6. The United States District Court for the Northern District of Oklahoma is the appropriate court for filing a Notice of Removal from the State Court where Plaintiff's State Court Action is pending, and accordingly, Defendant seeks to remove the State Court Action to this Court.

7. Upon receiving the federally-filed Notice of Removal, Defendant will file a copy of the Notice of Removal with the State Court, and will provide written notice to all counsel, all in accordance with 28 U.S.C. § 1446(d).

8. Pursuant to 28 U.S.C. § 1446 and LCvR 81.2, a copy of the docket sheet and a copy of all documents filed and/or served in the District Court of Tulsa County, Case No. CJ-2013-03027 are attached hereto. See Docket Sheet, Ex. 1; Petition, Ex. 2; Service of Summons, Ex. 3.

9. Under the provisions of 28 U.S.C. §§ 1441(a) and (b), and all other applicable statutes, all of which Defendant The Travelers Home and Marine Insurance Company, a foreign corporation, has complied with, this cause of action is removable to the United States District Court for the Northern District of Oklahoma.

Respectfully submitted,

s/Thomas A. Paruolo

Thomas A. Paruolo, OBA #18442

Melanie K. Christians, OBA #30846

NELSON TERRY MORTON DeWITT

PARUOLO & WOOD

P.O. Box 138800

Oklahoma City, OK 73113

Phone: (405) 705-3600

Fax: (405) 705-2573

[tom@ntmdlaw.com](mailto:tom@ntmdlaw.com)

[mchristians@ntmdlaw.com](mailto:mchristians@ntmdlaw.com)

*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 12th day of May 2014, I forwarded the above and foregoing document to the following:

Tom J. Sullivent, OBA #17147  
Sid Martin, OBA #10892  
1800 S. Baltimore, Suite 1050  
Tulsa, OK 74119  
Telephone: (918) 295-8300  
Facsimile: (918) 295-8302  
*Attorneys for Plaintiff*

s/Thomas A. Paruolo